

EXHIBIT

“A”

STATE OF MICHIGAN
37TH JUDICIAL DISTRICT

SEARCH WARRANT

CASE NO: 17-12996

Police Agency Report Number: 17-12996

TO THE SHERIFF OR ANY PEACE OFFICER:

Police Officer Nicholas Lienemann has sworn to the attached affidavit regarding the following:


The person, place, or thing to be searched is described as and is located at:

The entire property, premises and any vehicles and/or trailers located at and/or associated with 27286 Bunert Rd, City of Warren, County of Macomb, and State of Michigan. The residence is described as a single-story home constructed of white siding, brown trim and brown shingles. The residence is located between Hoerning Ave and Barber Ave on the east side of Bunert Rd. The residence is directly east of 27284 Bunert and to the east and north of the detached garage on the property. The main entry door is on the west side of the residence.

The PROPERTY to be searched for and seized, if found, is specifically described as: Any and all illegally possessed controlled substances, such as, but not limited to: cocaine, Heroin, Marijuana, MDMA (Ecstasy) as well as any illegally possessed prescription drugs. All valuables and/or proceeds (money) related to drug sales. Any drug paraphernalia utilized for the processing, weighing, packaging, cultivation, distribution, dilution and consumption of controlled substances. All proofs as to occupants and/or residents of the premises, as well as safes and lock boxes utilized to secure drugs and drug proceeds. All records and ledgers related to drug sales, including computer hard drives, software, hardware, monitors, printers, cell phones and accessories.

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property. Leave a copy of this warrant with tabulation (written inventory) of all property taken with the person from whom the property was taken or at the premises. You are further commanded to properly return this warrant and tabulation to the Court.

Issued: 5-4-17
Date / Time


Judge / Magistrate

Original Affidavit - Court
Original Warrant - Return1st Copy - Prosecutor
1st Copy - Prosecutor2nd Copy - Serve
2nd Copy - Serve

3rd Copy - Issuing Judge

STATE OF MICHIGAN
37TH JUDICIAL DISTRICT**AFFIDAVIT FOR
SEARCH WARRANT**

CASE NO: 17-12996

POLICE AGENCY REPORT NUMBER: 17-12996

Police Officer Nicholas Lienemann, Affiant, states that:**The person, place, or thing to be searched is described as and is located at:**

The entire property, premises and any vehicles and/or trailers located at and/or associated with 27286 Bunert Rd, City of Warren, County of Macomb, and State of Michigan. The residence is described as a single story home constructed of white siding, brown trim and brown shingles. The residence is located between Hoerning Ave and Barber Ave on the east side of Bunert Rd. The residence is directly east of 27284 Bunert and to the east and north of the detached garage on the property. The main entry door is on the west side of the residence.

The PROPERTY to be searched for and seized, if found, is specifically described as:

Any and all illegally possessed controlled substances, such as, but not limited to: cocaine, Heroin, Marijuana, MDMA (Ecstasy) as well as any illegally possessed prescription drugs. All valuables and/or proceeds (money) related to drug sales. Any drug paraphernalia utilized for the processing, weighing, packaging, cultivation, distribution, dilution and consumption of controlled substances. All proofs as to occupants and/or residents of the premises, as well as safes and lock boxes utilized to secure drugs and drug proceeds. All records and ledgers related to drug sales, including computer hard drives, software, hardware, monitors, printers, cell phones and accessories.

The FACTS establishing probable cause or the grounds for a search are:

1. Affiant is currently employed as a Police Officer with the City of Warren Police Department with more than five years of law enforcement experience. Affiant is a graduate of the Macomb Police Academy with basic training in narcotics investigations. Affiant is currently assigned to this agency's Special Investigations Division (SID). As part of his duties, Affiant investigates illegal drug trafficking, drug manufacturing and the use of illegal drugs. Affiant has further received the following advanced training: Undercover Police Surveillance through Oakland County Sheriff's Office (40 hours), Close Quarters Tactical Entry through Close Quarters Tactical of Shelby Township (8 hours), Drug Raid and Dynamic Warrant Entry through Macomb Community College Advance Police Training (40 hours). Affiant was deemed an expert of narcotics investigations in Honorable Judge M. Sabaugh's Court, 37th District Court on 10/02/2014.

2. 03/14/2017

Warren Police Department Police Officer K. Davis #185 was dispatched to 13891 Stephens (Blakely Products Co) RE: A found bag of suspected narcotics in the parking lot. Officer Davis was provided a clear plastic baggie containing (10) smaller zip seal baggies containing a white powdery substance. Also contained inside the plastic baggie were (5) brown capsules marked "G454." Officer Davis noted in her report there is video surveillance covering the parking lot. Officer Davis transported the bag back to WPD where she field tested the white powder with positive results for cocaine in the presence of WPD Sgt. Houtos. It weighed (37) grams with packaging. The brown capsules were confirmed as Amphetamine/Dextroamphetamine 20mg via Drugs.com in the presence of Sgt. Houtos.

This Affidavit consists of 4 pages

Subscribed and sworn to me on: 5-4-17

- 1 -

Affiant: Judge / Magistrate 

GOJCAJ_00082

03/15/2017

Affiant went to 13891 Stephens and retrieved a copy of the surveillance footage covering the parking lot. Affiant observed on the video that at approximately 15:00 HRS on 03/14/2017, a black 2016 RAM 1500 Laramie (bearing MI Lic Plate # DJR 7283) entered the lot and parked in an empty space. MI Lic Plate #DJR 7283 registers via MI SOS records to Mark Gojcay 09/01/1969 at 27107 Antonio Dr, Roseville, MI 48066. Affiant observed a white male whom Affiant recognized as Gojcay, exit the RAM and enter the business. Gojcay returned to the vehicle and left. When the RAM backed out of the space, Affiant observed a small object lying on the ground that was not present when RAM arrived. The object was consistent with the narcotics that were logged into evidence. Several minutes later, an employee walking through the parking lot found and retrieved the baggie from the lot and brought it inside of the business. Approximately (45) minutes later, Affiant observed Gojcay return in same listed RAM. He parked in the same area and began searching the area. He also searched his truck for several minutes without returning inside of the business. He then left the area.

3. Affiant initiated an investigation and queried Gojcay through multiple law enforcement databases. Affiant located the following associated addresses connected to Gojcay: 27107 Antonio Dr, Roseville, MI 48066, 27286 Bunert, Warren, MI 48088 and 15386 Hill Ct, Roseville, MI 48066 as well as the telephone number (586) 457-2829 associated to Gojcay.

4. A Computerized Criminal History for Gojcay revealed; (1) Count Felony Controlled Substance- Del/Mfg (Cocaine, Heroin or Another Narcotic) Less than 50 grams - Pled Guilty out of 16th Circuit Court on 03/04/1988. (1) Count Felony Controlled Substance Possess (Cocaine, Heroin or Another Narcotic) Less than 25 grams - Pled Guilty out of 16th Circuit Court on 02/07/2000. (1) Count Felony Controlled Substance-Del/Mfg (Cocaine, Heroin or Another Narcotic) Less than 50 grams - Pled Nolo Contd out of 3rd Circuit Court on 08/16/2004. (1) Count of Felony Dangerous Drugs Arrest Segment out of MSP COMET on 10/02/2013.

5. 03/22/2017

Affiant received a tip from an anonymous source of information (SOI) alleging that a white male, known as "Mark Gojcay," driving a black 2017 RAM (Laramie) and living at 27286 Bunert is dealing drugs. The SOI went on to state that "Mark" has been observed burying items in the yard and around the barbeque grill. The SOI also stated that individuals have been observed retrieving items from the gas tank cover on "Mark's" truck. The SOI stated that "Mark" lives on Bunert with a woman named "Leah" and her young son. Affiant noted the information provided by the SOI was consistent with the description of Mark Gojcay 09/01/1969 based upon residence and vehicle.

6. 03/23/2017

Based on the found narcotics, which, in Affiant's training and experience, were consistently packaged for street level narcotics trafficking and Gojcay's CCH, Affiant authored a Search Warrant for Tracking Device and Search Warrant for Phone Records / GPS Pings and swore to them in the presence of Hon. Judge Chmura, 37th District Court. Affiant immediately began electronic surveillance on Gojcay's listed phone number.

7. 03/29/2017 @ 21:15 HRS:

SID Officers initiated surveillance on Gojcay at 705 Washington, Grosse Pointe, MI 48230. Affiant observed Gojcay exit the residence and enter the RAM. He then traveled to 28887 Schoenherr (Tim Horton's). Gojcay then traveled to the 26089 Oakland St, Roseville, MI 48066. After a few minutes, Gojcay left the area and returned to 27286 Bunert. He pulled into the driveway and left the RAM running. He exited the RAM and entered the residence. He returned a few minutes later and re-entered the RAM. He then traveled to 15386 Hill Ct. Officer Bruce observed Gojcay park in the middle of the street directly in front of the driveway of 15386 Hill Ct. A dark colored 2017 Ford Explorer (MI Lic Plate [REDACTED]) arrived and parked window to window the Gojcay. Officer Bruce observed Gojcay conduct a hand to hand transaction with the white male driver of the Explorer. Both vehicles then left the area. Officers maintained surveillance as Gojcay returned to 27286 Bunert. Surveillance was terminated at that time. MI Lic Plate [REDACTED] returns clear LEIN to [REDACTED] in [REDACTED]

8. 04/06/2017 @ 18:15 HRS

SID Officers initiated surveillance at known locations for Gojcay. Officer Bruce set up on 15386 Hill Ct. At approximately 18:20 HRS, Gojcay (driving listed RAM) arrived at Hill Ct. He pulled into the driveway and waited inside of his vehicle. A few moments later, a black Ford Explorer (unknown plate) pulled in the street and stopped. Gojcay pulled his RAM window to window with the Explorer. Officer Bruce observed a hand to hand transaction occur between Gojcay and an unknown white male (only occupant) driver of the Explorer. The Explorer and Gojcay then left the area.

This Affidavit consists of 4 pages

Subscribed and sworn to me on: 5-4-17

- 2 -

Affiant: Judge / Magistrate 

GOJCAJ_00083

9. During the week of April 17th 2017

Affiant received information from Confidential Informant # 17-B-17 that a W/M by name of "Mark" with tx: (586) 457-2829 is selling Cocaine in and around the City of Warren. Affiant was familiar with the information as it relates to Mark Gojcay from the above mentioned investigation.

At Affiant's direction, the CI contacted Gojcay at tx: (586) 457-2829 for the purpose of purchasing \$100.00 worth of Cocaine. The deal was set to take place at a pre-determined location within the City of Warren. Prior to this operation, the CI was searched for any narcotics and/or contraband at a pre-determined location with negative results. The CI was then provided with \$100.00 of pre-recorded SID buy money.

SID Officers Villerot and Brashaw initiated surveillance at 15386 Hill Ct. Officer Villerot observed Gojcay's black 2016 RAM 1500 pickup (MI Lic Plate #DJR 7283) backed into the driveway with a large black trailer (MI Lic Plate # D609551) attached. Officer Villerot observed Gojcay walk in and out of the residence several times.

SID Officers initiated surveillance at the pre-arranged deal location and the CI awaiting arrival of Gojcay.

While conducting surveillance at 15386 Hill Ct, Officer Villerot observed Gojcay and an unknown white male (long brown hair) enter the RAM. Gojcay entered the driver's seat. SID Officers maintained physical surveillance on Gojcay as he traveled to 27286 Bunert, Warren, MI 48088 and backed the truck and trailer into the driveway. Gojcay and the unknown male unhooked the trailer and then left the residence.

SID Officers continued physical surveillance on Gojcay as he travelled to the pre-determined deal location. Gojcay arrived and met with the CI. Officer Booms and Detective Dailey observed Gojcay hand the CI (1) blue zip seal containing a white powdery substance. The CI handed Gojcay \$100.00 of pre-recorded SID buy money. Gojcay then left the area. The CI also left the area and met with Sgt. Brosnan at a pre-arranged location. The CI turned over (1) blue plastic zip seal containing a white powdery substance to Sgt. Brosnan. The CI was then searched with negative results for narcotics/contraband and left the area. The suspected cocaine was transported to WPD where Affiant field tested it with positive results in the presence of Sgt. Brosnan. It weighed 1.9 grams and was logged into evidence.

SID Officers maintained constant and uninterrupted surveillance on Gojcay as he travelled to 22524 Greater Mack Ave, St Clair Shores, MI 48080. He parked just north on Red Maple Lane and waited while the unknown passenger entered the Liquor Store (Chapoton Woods Market). A few moments later, the passenger exited the store and re-entered the RAM. Gojcay then travelled to 22429 Alger St, St. Clair Shores, MI 48080. The passenger exited the RAM and Gojcay left the area. Officers continued constant and uninterrupted surveillance on Gojcay as he travelled back to 27286 Bunert and parked in the driveway. Gojcay exited the RAM and entered the residence. Surveillance was terminated at that time.

10. During the week of April 24th, 2017

At Affiant's direction, CI 17-B-17 contacted Gojcay at tx: (586) 457-2829 for the purpose of purchasing \$100.00 worth of Cocaine. The deal was set to take place at a pre-determined location within the City of Warren. Prior to this operation, the CI was searched for any narcotics and/or contraband at a pre-determined location with negative results. The CI was provided with \$100.00 of pre-recorded SID buy money.

SID Officers Villerot and Bruce initiated surveillance at 15386 Hill Ct. Officer Bruce observed Gojcay's black 2016 RAM 1500 pickup (MI Lic Plate #DJR 7283) parked in the driveway next to a large black trailer (MI Lic Plate # D609551).

SID Officers initiated surveillance at the pre-arranged deal location and the CI while awaiting the arrival of Gojcay.

While conducting surveillance at 15386 Hill Ct, Officer Bruce observed Gojcay and an unknown white male (long brown hair) exit the residence and attach the trailer to the RAM. Both subjects then entered the RAM. Gojcay entered the driver's seat. SID Officers maintained physical surveillance on Gojcay as he traveled to the pre-determined deal location. Gojcay arrived and met with the CI. Detective Spybrook and Detective Dailey observed Gojcay hand the CI (1) blue zip seal containing a white powdery substance. The CI handed Gojcay \$100.00 of pre-recorded SID buy money. Gojcay then left the area. The CI also left the area and met with Sgt. Brosnan at a pre-arranged location. The CI turned over (1) blue plastic zip seal containing a white powdery substance to Sgt. Brosnan. The CI was then searched with negative results for narcotics/contraband and left the area.

SID Officers maintained constant and uninterrupted surveillance on Gojcay as he travelled to 27286 Bunert and backed the

This Affidavit consists of 4 pages

Subscribed and sworn to me on: 5-4-17

- 3 -

Affiant: 

Judge / Magistrate: 

GOJCAJ_00084

RAM and trailer into the driveway of the residence. Gojcay and the other white male unhitched the trailer and returned to the vehicle. Surveillance was terminated at that time.

Sgt. Brosnan transported the suspected Cocaine to the station where Affiant field tested it with positive results in the presence of Sgt. Brosnan. It weighed 2.2 Grams with packaging and was logged into evidence.

11. During the week of May 1st, 2017

At Affiant's direction, CI 17-B-17 contacted Gojcay at tx: (586) 457-2829 for the purpose of purchasing \$100.00 worth of Cocaine. The deal was set to take place at a pre-determined location within the City of Warren. Prior to this operation, the CI was searched for any narcotics and/or contraband at a pre-determined location with negative results. The CI was provided with \$100.00 or pre-recorded SID buy money.

SID Detectives Dailey and Spybrook initiated surveillance at 15386 Hill Ct. Officer Bruce observed Gojcay's black 2016 RAM 1500 pickup (MI Lic Plate #DJR 7283) parked in the driveway next to a large black trailer (MI Lic Plate # D609551).

SID Officers initiated surveillance at the pre-arranged deal location and the CI while awaiting the arrival of Gojcay.

While conducting surveillance at 15386 Hill Ct, Detective Dailey observed Gojcay and an unknown white male (long brown hair) exit the residence and attach the trailer to the RAM. Both subjects then entered the RAM. Gojcay entered the driver's seat. SID Officers maintained physical surveillance on Gojcay as he traveled to the pre-determined deal location. Gojcay arrived and met with the CI.

Officers Villero and Booms observed Gojcay hand the CI (1) dark zip seal containing a white powdery substance. The CI handed Gojcay \$100.00 of pre-recorded SID buy money. Gojcay then left the area. The CI also left the area and met with Sgt. Brosnan at a pre-arranged location. The CI turned over (1) dark gray plastic zip seal containing a white powdery substance to Sgt. Brosnan. The CI was then searched with negative results for narcotics/contraband and left the area.

SID Officers maintained constant and uninterrupted surveillance on Gojcay as he travelled to 27286 Bunert and backed the RAM and trailer into the driveway of the residence. Gojcay and the other white male unhitched the trailer and returned to the vehicle. Surveillance was terminated at that time.

Sgt. Brosnan transported the suspected Cocaine to the station where Affiant field tested it with positive results in the presence of Sgt. Brosnan. It weighed 2.0 Grams with packaging and was logged into evidence.

12. Throughout the course of this investigation, Affiant regularly monitored electronic surveillance as well as performed physical surveillance to corroborate the electronic information. Gojcay consistently returned to 27286 Bunert during the evening and nighttime hours and stayed there throughout the night. From the start of physical and electronic surveillance, Gojcay returned to 27286 Bunert routinely and based upon Affiant's training and experience, it is consistent with an individual having an established residence.

13. Per MI SOS records, there are (3) residents registered to 27286 Bunert; Ramous Clair Brinker 03/04/1962, Susan M Murvay 11/23/1948, and Leeah Marie Ontis 03/05/1985.

14. A Computerized Criminal History for Ontis revealed an Attempt-Misdemeanor Controlled Substance- Possession Analogues - Pled Guilty on 08/27/2013 out of the 40th District Court - St Clair Shores. A CCH for Brinker and Murvay revealed no prior narcotics related arrests/convictions.

15. It is Affiant's experience that subjects who manufacture/sell/use illegal narcotics often keep additional narcotics and proceeds from the narcotic sales at their residence and/or narcotics safe house.

16. Based on the facts set forth in the above, Affiant believes that probable cause has been established and would request that Honorable Judge sign the Affidavit for Search Warrant for the search of both the premises and property located at 27286 Bunert, Warren, MI 48088.

This Affidavit consists of 4 pages

Subscribed and sworn to me on: 5-4-17

- 4 -

Affiant:

Judge / Magistrate

GOJCAJ_00085